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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/898,958	07/03/2001	Jack V. Smith		9735	
75	590 03/02/2004		EXAMINER		
Jack V. Smith			LUONG, SHIAN	LUONG, SHIAN TINH NHAN	
P.O. Box 156 Arden, NC 28	3704		ART UNIT PAPER NUMBER		
	•		3728	16	
			DATE MAILED: 03/02/2004		

Please find below and/or attached an Office communication concerning this application or proceeding.

_			A
	Application No.	Applicant(s)	24
Advisory Action	09/898,958	SMITH, JACK V.	
Advisory Addion	Examin r	Art Unit	
•	Shian T. Luong	3728	1
The MAILING DATE of this communication a	pp ars on the cov r sheet	with the correspondenc addres	:s
THE REPLY FILED FAILS TO PLACE THIS AT Therefore, further action by the applicant is required the final rejection under 37 CFR 1.113 may only be eithe condition for allowance; (2) a timely filed Notice of Application (RCE) in compliance with 37 CFR 1.114	to avoid abandonment of r: (1) a timely filed ameno opeal (with appeal fee); or	lment which places the applicat	ion in
PERIOD FOR	REPLY [check either a)	or b)]	
a) The period for reply expiresmonths from the mail			
b) The period for reply expires on: (1) the mailing date of this event, however, will the statutory period for reply expire late ONLY CHECK THIS BOX WHEN THE FIRST REPLY W 706.07(f). Extensions of time may be obtained under 37 CFR 1.136(a). The have been filed is the date for purposes of determining the period of e 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shorten.	er than SIX MONTHS from the rr /AS FILED WITHIN TWO MON e date on which the petition unde xtension and the corresponding a	nailing date of the final rejection. THS OF THE FINAL REJECTION. See or 37 CFR 1.136(a) and the appropriate ex ramount of the fee. The appropriate extens	MPEP dension fee sion fee under
 b) above, if checked. Any reply received by the Office later than three earned patent term adjustment. See 37 CFR 1.704(b). 	e months after the mailing date of	f the final rejection, even if timely filed, ma	y reduce any
 A Notice of Appeal was filed on Appella 37 CFR 1.192(a), or any extension thereof (37 			
2. The proposed amendment(s) will not be entere	d because:		
(a) \square they raise new issues that would require fu	urther consideration and/o	or search (see NOTE below);	
(b) they raise the issue of new matter (see No	· ·		
(c) they are not deemed to place the applicati issues for appeal; and/or	on in better form for appe	eal by materially reducing or sim	plifying the
(d) they present additional claims without car NOTE:	nceling a corresponding n	umber of finally rejected claims	,
3. Applicant's reply has overcome the following re	ejection(s):		
4. Newly proposed or amended claim(s) wo canceling the non-allowable claim(s).	-	tted in a separate, timely filed a	mendment
5. ☑ The a) ☐ affidavit, b) ☐ exhibit, or c) ☑ reques application in condition for allowance because		been considered but does NOT	place the
6. The affidavit or exhibit will NOT be considered raised by the Examiner in the final rejection.			
 raised by the Examiner in the final rejection. 7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claim 	nent(s) a)□ will not be en s would be rejected is pro	ntered or b)⊠ will be enteredkan ovided below or appended.	dan Pariet
The status of the claim(s) is (or will be) as follo	ws:		
Claim(s) allowed:			
Claim(s) objected to:			
Claim(s) rejected: <u>1 and 3</u> .			
Claim(s) withdrawn from consideration:			
8. The drawing correction filed on is a)	approved or b)☐ disapp	proved by the Examiner.	
9. Note the attached Information Disclosure State	ement(s)(PTO-1449) Pap	er No(s)	
10. ☐ Other:			
		Shian T. Luong Primary Examiner Art Unit: 3728	٠

Continuation Sh t (PTOL-303) 09/898,958

Continuation of 5. does NOT place the application in condition for allowance because: Applicant is arguing the use of the dunnage bag for shipping by itself without a rigid container. But applicant is arguing the functional use of the bag and such distinction is not recited in the claim. Moreover, the bag is packed within a outer container 66 as shown in Figure 6 for shipping purpose.